## UNITED STATES DISTRICT COURT APR 1 9 2002

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Southern	District of _	Texas, Hous Michael Milly, Clerk
In re ENRON CORPORATION SECURITIE LITIGATION	ES _	SUMMONS IN A CIVIL CASE
V.	_	
This Document Relates To:	CASE	NUMBER: H-01-3624 (Consolidated)
ALL ACTIONS	0.102.	(
TO: (Name and address of Defendant)		
•		
Bank of America Corp. 100 N. Tryon Street		
18 <sup>th</sup> Floor		
Charlotte, NC 28202		
YOU ARE HEREBY SUMMONED and r ROGER B. GREENBERG SCHWARTZ, JUNELL, CAMPBELL & OATH 909 FANNIN, SUITE 2000 HOUSTON, TEXAS 77010 (713) 752-0017 FAX: (713) 752-0327	•	apon PLAINTIFF'S ATTORNEY (name and address)
summons upon you, exclusive of the day of service	e. If you fail to do	nin 20 days after service of this so, judgment by default will be taken against you for swer with the Clerk of this Court within a reasonable
Mr. Michael N. Milby	DATE	April 8, 2002
Cepichia Horace	DATE	
(By) DEPUTY CLERK		$\sim$ 1 $\times$



UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION	
In re ENRON CORPORATION SECURITIES LITIGATION,	Index No. H-01-3624  AFFIDAVIT OF SERVICE
This Document Relates To:	
MARK NEWBY, et al., Individually and On Behalf of All Others Similarly Situated,,  Plaintiff,	
-against- ENRON CORP., et al.,  Defendants.	
STATE OF NEW YORK ) S.S.: COUNTY OF NEW YORK)	

OTIS OSBORNE, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 10<sup>th</sup> day of April 2002, at approximately 12:32 p.m., deponent served a true

## copy of the SUMMONS IN A CIVIL CASE AND CLASS ACTION LEAD PLAINTIFF'S

Bank of America Corp. c/o Gregory A. Marekl at 1633 Broadway, 47<sup>th</sup> floor, New York, NY 10019, by personally delivering and leaving the same with A. Hudson, Lead, who informed deponent that he is an agent authorized by appointment to receive service at that address.

APPENDIX OF CERTIFICATIONS IN SUPPORT OF CONSOLIDATED COMPLAINT upon

A. Hudson is a black male, approximately 25 years of age, stands approximately 5 feet 8 inches tall, and weighs approximately 175 pounds with black hair and brown eyes.

OTIS OSBORNE #870139

Sworn to before me this 15<sup>th</sup> day of April, 2002

NOTÁRY PUBLIC

HOWARD DANIEL GOLDMAN Notary Public, State of New York No. 31-5062405

Qualified in New York County
Certificate filed in New York County
Minimal Ant France and 1: 20